

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 ONY-00 SS-15 SSO-00 /026 W
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FM AMEMBASSY MUSCAT
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C O N F I D E N T I A L SECTION 1 OF 2 MUSCAT 0989

DELIVER TO NEA/ARP BY OOB JUNE 28

E.O. 11652: GDS
TAGS: SHUM, MU
SUBJECT: OMAN HUMAN RIGHTS EVALUATION PLAN

REF: STATE 148097

1. IN OUR OPINION, THE DRAFT HUMAN RIGHTS PLAN FOR OMAN IS VERY WELL DONE. IT CORRECTLY EMPHASIZES WHAT WE SEE AS THE SALIENT FEATURE OF THE REGIME OF SULTAN QABOOS: ITS REMARKABLE RECORD IN MOVING THE COUNTRY IN LESS THAN A DECADE FROM AN EXTREMELY UNENLIGHTENED STATE IN NEARLY ALL AREAS OF POLITICAL AND SOCIAL LIFE TO A PROUD PLACE IN THE MODERN WORLD. THE MISTAKES MADE ALONG THE WAY AND THE GAPS REMAINING, WHILE THEY MUST BE RECOGNIZED, SHOULD NOT OVERSHADOW USG APPRECIATION FOR THE PROGRESS MADE. WE SHOULD SEE HOW WE CAN BEST ENCOURAGE CONTINUED PROGRESS, AND ITS CHANNELING INTO AREAS STILL OUTSTANDING.

2. KEEPING THIS PRINCIPLE IN MIND, WE HAVE THE FOLLOWING SPECIFIC SUGGESTIONS ON THE DRAFT:

(A) CHANGE LAST CLAUSE OF PARA 2 OF SECTION (A) (1) TO READ "... WHILE THE ISLAMIC COURTS RETAIN JURISDICTION IN OTHER CASES." THE ISLAMIC COURTS HANDLE MORE THAN JUST PERSONAL STATUS CASES, AND THE RELATIONSHIP BETWEEN THE POLICE MAGISTRATES (WHO USE THE

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CRIMINAL CODE) AND THE QADIS (WHO DO NOT) IS COMPLEX.

(B) IMMEDIATELY BEFORE THE PRESENT LAST SENTENCE OF PARA 3 OF SECTION (A) (1) ADD FOLLOWING SENTENCE: "NO MAJOR ABUSES OF THE POLICE'S POWER OF ARREST HAVE COME TO OUR ATTENTION UNDER THE PRESENT REGIM, ALTHOUGH PETTY AND SHORT-LIMVED ARBITRARINESS IS NOT UNKNOWN."

(C) ADD FOLLOWING SENTENCE TO END OF PARA 3 OF SECTION (A) (1):
"RECENT EYEWITNESS ACCOUNTS BY USG OFFICERS ATTENDING SESSIONS
OF BOTH ISLAMIC AND POLICE COURTS SHOWED AN IMPRESSIVE DEGREE
OF FAIRNESS IN THE PROCEDURES."

(D) ADD THE PHRASE "COMPARED TO THE PREVIOUS SULTAN'S REGIME,
..." TO BEGINNING OF PARA 1 OF SECTION (A) (3). IT IS CORRECT THAT
THE PRESENT GOVERNMENT HAS DONE MUCH IN SOCIAL WELFARE FOR THE
POOR AND IN EDUCATION, BUT ITS RECORD IS SPOTTY AND, EXCEPT IN
EDUCATION, NOT CONSISTENT FROM ONE REGION TO ANOTHER. THE
PROGRESS IN EDUCATION IS INDEED IMPRESSIVE.

(E) ADD FOLLOWING SENTENCE TO END OF PARA 2 IN SECTION (A) (3):
"FORTUNATELY, INSTANCES OF LOW-LEVEL CORRUPTION (THE MINOR
BUREAUCRAT SEEKING AN EXTRA FEE, THE POLICEMAN ACCEPTING A
BRIBE, ETC.) ARE NOT A SERIOUS PROBLEM. THE DAY-TO-DAY AFFAIRS
OF GOVERNMENT APPEAR BASICALLY HONEST."

(F) OMIT LAST SENTENCE OF SECTION (A) (4). WHILE IT IS TRUE THAT
THE GOVERNMENT HAS MOVED AGAINST CASES OF CORRUPTION, ITS GENERAL
RECORD IN THIS RESPECT IS OPEN TO CONSIDERABLE DEBATE. SENTENCE
IS NOT NECESSARILY RELEVANT TO MAIN POINT OF PARAGRAPH. SEE NEXT
RECOMMENDATION BELOW.

(G) ADD FOLLOWING AS SECOND PARAGRAPH OF SECTION (A) (4): "THE
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ABSENCE OF AN ELECTED ASSEMBLY AND THE PROBABLE PRESENCE OF
HIGH-LEVEL CORRUPTION COULD BE CONSIDERED AS DETRACTING FROM
THE GOVERNMENT'S RAPID MOVES TOWARD MODERN ENLIGHTENMENT.
BUT GIVEN THE PUBLIC'S EVIDENT SATISFACTION WITH THE REGIME'S
POLITICAL MODERNIZATION SO FAR, IT WOULD SEEM PRESUMPTUOUS
FOR OUTSIDERS TO DECRY THE LACK OF POLITICAL OUTLETS WHERE NO
GRIEVANCE IS YET SEEN BY THOSE AFFECTED. AS FOR CORRUPTION,
IT CANNOT BE SAID THAT UNJUST FINANCIAL PRACTICES ARE THE POLICY
OF THE REGIME, AND MANY IN AUTHORITY RECOGNIZE THE DRAIN THIS
CAN CAUSE IN NATIONAL RESOURCES. THE GOVERNMENT HAS MOVED
AGAINST SOME CLEAR CASES OF FINANCIAL MALFEASANCE."

(H) WE ARE NOT SURE WHAT THE PHRASE "ATTEMPTING TO INFLUENCE
ADVERSELY DECISIONS ON INTERNATIONAL FINANCING FOR OMAN" IN
PARA 2 OF SECTION B REALLY MEANS. IF IT MEANS TRYING TO PER-
SUADE DONORS TO CANCEL POSSIBLY CORRUPT DEALS WITH OMAN, WE
AGREE THIS IS A PERILOUS COURSE, BUT SUGGEST THAT THE PROBLEM
WOULD HAVE TO BE CONSIDERED ON A CASE-BY-CASE BASIS. FACTORS
SUCH AS THE STRENGTH OF THE EVIDENCE OF POSSIBLE CORRUPTION, THE
RELEVANCE AND APPROPRIATENESS OF USG REPRESENTATIONS, ETC.
WOULD FIGURE IN. IN MOST CASES, WE BELIEVE USG REPRESENTATIONS
WOULD NOT LEAD ANYWHERE. A GENERALLY MORE PRODUCTIVE APPROACH

LIES IN LONG-TERM EFFORTS.

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(I) WE WOULD ADD THE FOLLOWING TWO ITEMS TO THE LISTING IN SECTION B: -- CONTINUE TO MONITOR THE OMANI POLITICAL SCENE THROUGH FOREIGN SERVICE REPORTING TO SEE IF THE REGIME KEEPS PACE WITH INDIGENOUS DEMANDS FOR POLITICAL ASSEMBLY, IF AND WHEN THESE APPEAR, AND BE READY TO ACT QUIETLY TO ENCOURAGE THE DEVELOPMENT OF DEMOCRATIC INSTITUTIONS THAT SEEM RESPONSIVE TO OMANI NEEDS AND TRADITIONS.

-- CONTINUE TO MONITOR THE OMANI ECONOMIC SCENE THROUGH FOREIGN SERVICE REPORTING TO SEE WHERE AND HOW USG INFLUENCE CAN PROPERLY BE APPLIED TO RELIEVE THE CORRUPTION PROBLEM.

(J) THE DRAFT STATES AT THE END THAT THE OMANI ELITES HAVE REACTED POSITIVELY TO U.S. HUMAN RIGHTS POLICY. THE ONLY OVERT REACTION WE HAVE NOTED HERE IS UNCONCERNED SILENCE - AS THOUGH, BEING PROUD OF THEIR RECENT ACHIEVEMENTS, THE OMANIS DID NOT SEE HOW THE POLICY COULD BE DIRECTED PARTICULARLY AT THEM. HOWEVER, WE DO NOT QUARREL WITH THE STATEMENT IN THE DRAFT. IT IS PROBABLY TRUE THAT EDUCATED OMANIS ARE INTERESTED IN OUR POLICY AND ARE POSITIVE ABOUT MANY ASPECTS OF IT.
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